IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7761 OF 2004

1. Smt.Narmada Maruti Pawar

and ors. ..Petitioners

Vs

1. Smt. Parvatibai Bhra Dadu Kadam

and ors. ..Respondents

Mr L.S.Gaikwad, for the petitioners.

Mr S.S.Kulkarni for respondent no.3A

CORAM : D.B.BHOSALE,J.

DATE : 21st September, 2004.

PC:

1. Heard the learned counsel for the parties.

2. This petition is directed against the order dated 29.3.2004 passed in Application No.51/2002 filed by the present petitioners, by which the application for condonation of delay has been rejected. The Appeal was sought to be filed by the petitioners against the judgment and decree dated 24.7.1987. There was a delay of about 15 years for filing the appeal. The suit was filed against the deceased father of the petitioner viz. Maruti Narasu Pawar. It appears that against the judgment and decree dated 24.7.1987, deceased Maruti Pawar had filed Appeal and Civil Misc. Application

No.175 of 1988 in the District Court, Satara, seeking condonation of delay in filing the appeal. That application was rejected on 7.1.1992. The matter was not carried further either by Maruti Pawar or by the petitioners. Maruti Pawar died some time in 1999. The record shows that the petitioners were aware about the dismissal of the suit. Apart from the fact that no case for condonation of delay is made out, I am informed that the decree has already been executed. The writ petition, therefore, fails and is dismissed as such.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)